



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/649,037
Filing Date: 08/27/2003
Applicant: Naoki Ueda
Group Art Unit: 3753
Examiner: John K. Ford
Title: HEAT EXCHANGER UNIT
Attorney Docket: 4041J-000760

Director of The United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Office Action mailed March 1, 2005, Paper No./Mail Date 02112005, please consider the following.

The Examiner has required restriction to one of the following inventions under 35 U.S.C. § 121:

- I. Claims 1, 2, 3, 8 and 10, drawn to the heat exchangers of different materials, classified in class 165, subclass 140.
- II. Claims 4, 5, 6, 7 and 9, drawn to a combination of an engine, vehicle radiator and, apparently, a turbo-charger or supercharger, classified in class 123, subclass 563 or class 60, subclass 599,

depending on whether or not the turbo/supercharger is positively claimed.

Applicant, without traverse, respectfully requests the Examiner to proceed with Invention I defined by Claims 1, 2, 3, 8 and 10. Applicant requests that the non-elected Claims be held in abeyance for further prosecution in future divisional and/or continuation applications.

RESPONSE TO ELECTION OF SPECIES

The Examiner has required an election of species pursuant to 35 U.S.C. § 121 to one of the following patentably distinct species:

- I. The species principally illustrated in Figure 1;
- II. The species principally illustrated in Figure 4.

Applicants, without traverse, respectfully request the Examiner to proceed with Species I principally illustrated in Figure 1. Applicant believes that Claims 1, 2, 3, 8 and 10 of the elected invention read on the elected species and that at least Claim 1 is generic. Applicant requests that the non-elected Claims be held in abeyance for possible rejoinder and/or further prosecution in future divisional and/or continuation applications.


CONCLUSION

It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus,

prompt and favorable consideration of this Response is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: April 5, 2005
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MJS/pmg